

DOCKET NO. NNH-CV-20-6106771-S : SUPERIOR COURT
942 STATE, LLC : J.D. OF NEW HAVEN
V. : AT NEW HAVEN
CHR HOLDINGS, LLC, et al. :

AFFIDAVIT OF DEBT

Personally appeared Yonah Schwartz, Manager of the Plaintiff in the above-captioned matter, who, being first duly sworn, does depose and say that:

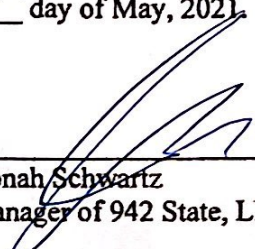
1. I am over the age of eighteen and know and understand the meaning of an obligation of an oath.
2. I am the Manager of the Plaintiff in the above-captioned matter, 942 State, LLC and as such, am fully familiar with the facts contained herein.
3. In April, 2016, CHR Holdings, LLC, Jelly, LLC and Diamante Nero, LLC executed an Operating Agreement for 942 State, LLC (the "Operating Agreement").
4. 942 State owned certain real property known as 942 State Street, New Haven, Connecticut (the "Property"), which is a multi-unit commercial building and adjacent carriage house.
5. Pursuant to the Operating Agreement, the Defendant Hecht was appointed as manager of 942 State.
6. Included in Hecht's duties and responsibilities, per the terms of the Operating Agreement, were the collections of rents and maintenance of the property. In addition, Hecht was

responsible for using said rents to pay and maintain the taxes on the Property. Under the express terms of the Operating Agreement, the aforementioned duties were delegated to Wildwood Holdings.

7. Hecht is a sophisticated investor in real estate and manager of real estate with superior knowledge, skill, experience, and expertise in the fields of real estate investment and management.
8. On or about October 23, 2018, Hecht, acting on behalf of CHR Holdings, which was allegedly acting for 942 State, closed a \$450,000.00 loan transaction with Silver Heights Development, LLC ("Silver Heights").
9. In order to obtain the financing from Silver Heights, Hecht, through CHR Holdings, misrepresented the corporate structure of 942 State, specifically that it was a single-member LLC with CHR Holdings being the sole member.
10. The transaction with Silver Heights was unknown to 942 State's other members, and upon review, was harmful to 942 State in various ways, including a new higher interest rate.
11. A review of the closing disbursement sheet reveals that \$64,138.16 was used to pay back taxes on the Property as well as other properties having nothing to do with 942 State, 597 Chapel Street and 601 Chapel Street. A true and accurate copy of the closing disbursement sheet is attached hereto at Exhibit "A".


12. Furthermore, according to the disbursement sheet, 942 State was to receive \$26,455.37 from the closing. 942 State has no record of any such funds ever being received from the closing.
13. In total, the aforementioned transaction damaged the Plaintiff in the total amount of \$90,593.53. As such, the Plaintiff claims said amount as its total damages in this matter.
14. I make this affidavit upon my personal knowledge and information.

Dated at Teaneck, NJ this 26th day of May, 2021.



Yonah Schwartz
Manager of 942 State, LLC

Personally appeared, Yonah Schwartz, signer of the foregoing affidavit who made solemn oath to the truth of the facts contained therein, before me.



Notary Public

My Commission Expires: 06/15/2025

Henry L. Horowitz
Commission # 50128312
Notary Public State of New Jersey
Commission Expires: June 15, 2025

Exhibit A

4

GOLDMAN, GRUDER & WOODS, LLC • ATTORNEYS AT LAW
105 TECHNOLOGY DRIVE • TRUMBULL, CONNECTICUT 06611 • (203) 880-5333 •
JURIS NO. 035172

CLOSING AND DISBURSEMENT STATEMENT

**\$450,000.00 Loan from Silver Heights Development LLC ("Lender")
To 942 State, LLC ("Borrower")**

as of October 23, 2018

Gross Initial Advance:	\$450,000.00
Payoff of Existing Indebtedness	(\$311,306.47)
Loan Origination Fee (2%)	(\$9,000.00)
Diserio Martin O'Connor & Castiglioni LLP – Legal Fees	(\$2,500.00)
6 Month Interest Reserve	(\$27,000.00)
Stub Interest	(\$1,350.00)
Chapel September Interest	(\$8,250.00)
Disbursement to L. Levinson re following payoffs:	(\$64,138.16)
a. City of New Haven Back Taxes	\$31,665.09
b. New Haven WPCA Back Charges	\$6,821.37
c. 597 Chapel Street Back Taxes	\$13,921.35
d. 601 Chapel Street Back Taxes	\$11,730.35
Total Disbursements:	\$423,544.63
Funds to Borrower:	\$26,455.37

By execution, Borrower authorizes Lender to make all payments on the above charges to the applicable payees at Closing.

BORROWER:

942 STATE, LLC

By: 

Name: Levi Hecht

Title: Manager

LENDER:

SILVER HEIGHTS DEVELOPMENT LLC

By: _____

Name: Seth Greenwald

Title: Manager

[Signature Page to Closing and Disbursement Statement]